

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :05.10.2018
CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No. 6746 of 2013

Jaishankar ..Petitioner
vs

The Managing Director,
Tamil Nadu State Transport Corporation,
Coimbatore District. .. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the respondent to appoint the petitioner as Conductor in the Tamil Nadu State Transport Corporation, Coimbatore Circle-I.

For Petitioner : Mr.C.Deivasigamani
For Respondent : Mr.R.S.Selvam

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondent to appoint the petitioner as Conductor in the Tamil Nadu State Transport Corporation, Coimbatore Circle-I.

2. The writ petitioner registered his name in the respondent Corporation and was employed as a Conductor on temporary basis from 1983 to 2001. The writ petitioner participated in the interview conducted by the respondent Corporation. In spite of that, he was not selected and appointed as a permanent employee.

3. The learned Government Advocate appearing on behalf of the respondent states that the writ petitioner had served as a Conductor only for about 59 days. Therefore, his case was not considered for permanent absorption.

4. Appointment can never be claimed as a matter of right. All appointments are to be made only under the Constitutional Scheme and by following the recruitment rules in force. Equal opportunity in public employment is a constitutional mandate. Mere employment for a period of about 59 days as a temporary Conductor will not confer any right on the writ petitioner to claim appointment or permanent absorption. The writ petitioner has to undergo the process of selection along with all other candidates, who are all aspiring to secure public employment, in accordance with law and through open competitive process.

5. This being the principles to be followed, the writ petitioner has not established even a semblance of legal right so as to consider the relief as such sought for in the present writ petition.

6. Accordingly, the present writ petition stands dismissed. However, there shall be no order as to costs.

05.10.2018

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Internet:Yes/No

Index : Yes/No
Speaking/Non speaking order

To
The Managing Director,
Tamil Nadu State Transport Corporation,
Coimbatore District.

S.M.SUBRAMANIAM, J.
sk

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